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106TH CONGRESS
1ST SESSION

H. R. 2246

To amend the Balanced Budget Act of 1997 to prohibit the Secretary of Health and Human Services to require the collection of data from home health agencies furnishing services under the Medicare Program under the OASIS data collection program from non-Medicare patients, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 16, 1999

Mr. RYUN of Kansas (for himself, Mr. MORAN of Kansas, Mr. TIAHRT, Mr. NETHERCUTT, Mr. STEARNS, Mr. HOEKSTRA, Mr. RAHALL, Mr. HOSTETTLER, Mr. PETERSON of Pennsylvania, Ms. MILLENDER-MCDONALD, Mr. KOLBE, Mr. PAUL, Mrs. MYRICK, Mr. BARRETT of Nebraska, and Mr. MARKEY) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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A BILL

To amend the Balanced Budget Act of 1997 to prohibit the Secretary of Health and Human Services to require the collection of data from home health agencies furnishing services under the Medicare Program under the OASIS data collection program from non-Medicare patients, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Medicare Home Health Care Relief Act of 1999".

SEC. 2. LIMITATION ON OASIS DATA COLLECTION TO MEDICARE PATIENT DATA.

(a) IN GENERAL.—Effective as if included in the enactment of the Balanced Budget Act of 1997 (Public Law 105–33), section 4602(e) of such Act (42 U.S.C. 1395fff note) is amended by adding at the end the following new sentence: "Notwithstanding any provision of section 1891 of the Social Security Act (42 U.S.C. 1395bbb) to the contrary, the Secretary may only require the submission of additional information under this subsection with respect to individuals who are entitled to benefits under part A, or enrolled under part B, or both, of title XVIII of such Act.".

(b) REPORT TO CONGRESS.—By not later than October 1, 2001, the Secretary of Health and Human Services shall submit to Congress a report on the collection of data from home health agencies on patients of the agencies that includes the following:

(1) Recommendations for such legislative and administrative actions that the Secretary determines is appropriate with respect to the collection of information by the Secretary from medicare home health

agencies on patients of such agencies that are not medicare beneficiaries.

(2) A determination of whether the integrity of data collected pursuant to the Outcome and Assessment Information Set (OASIS) is affected by the personal nature of the questions posed by reason of such set.

(3) With respect to the comprehensive assessment of patients, a determination of whether the integrity of the data collected would be improved by providing additional time for the completion of the comprehensive assessment and the update of the comprehensive assessment.

(c) DEFINITIONS.—In this section:

(1) COMPREHENSIVE ASSESSMENT OF PATIENTS.—The term "comprehensive assessment of patients" means the rule published by the Health Care Financing Administration in the Federal Register on January 25, 1999 (64 FR 3784), that requires, as a condition of participation in the medicare program, a home health agency to provide a patient-specific comprehensive assessment that accurately reflects the patient's current status and that incorporates the Outcome and Assessment Informa-

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tion Set (OASIS), under section 484.55 of title 42 of the Code of Federal Regulations.

(2) COMPLETION OF THE COMPREHENSIVE ASSESSMENT.—The term "completion of the comprehensive assessment" means the standard for the completion of the comprehensive assessment provided under subsection (b) of such section.

(3) UPDATE OF THE COMPREHENSIVE ASSESSMENT.—The term "update of the comprehensive assessment" means the standard for an update of the comprehensive assessment provided under subsection (d) of such section.

(4) OUTCOME AND ASSESSMENT INFORMATION SET.—The term "Outcome and Assessment Information Set" means the standard provided under subsection (e) of such section, relating to data items that must be used in conducting a comprehensive assessment of patients.

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